

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application.

Claim 1 (Currently Amended): A semiconductor memory device ~~having a gate electrode and a diffusion layer, comprising:~~

~~a plurality of memory cells each of which including the gate electrode and the diffusion layers;~~

a first memory cell having a first gate electrode, a first diffusion layer and a second diffusion layer, the first and second diffusion layers arranged in a semiconductor substrate to be adjacent to the first gate electrode;

a first contact layer connected to the first diffusion layer of the first memory cell one of the diffusion layers layer of the each memory cell;

a second contact layer connected to the first contact layer;

a first bit line connected to the second contact layer and arranged above the first gate electrode of the first memory cell; and

a second memory cell having a second gate electrode, a third diffusion layer and a fourth diffusion layer, the third and fourth diffusion layers arranged in a semiconductor substrate to be adjacent to the second gate electrode, the second gate electrode of the second memory cell electrically connected to the first gate electrode of the first memory cell, the first and second memory cells arranged in a direction perpendicular to the first bit line;

a second bit line connected to the third diffusion layer, arranged above the second gate electrode of the second memory cell, and arranged parallel to the first bit line; and

a conductive layer commonly connected to the second diffusion layer of the first memory cell and the fourth diffusion layer of the second memory cell at least two of the diffusion layers other than the diffusion layer connected to the first contact layer, the conductive layer formed between adjacent gate electrodes being arranged in a direction vertical to the bit line, a height of the conductive layer substantially being coplanar with a height of the first contact layer.

Claim 2 (Currently Amended): The semiconductor memory device ~~having a gate electrode and a diffusion layer~~ according to claim 1, the first contact layer includes a W layer.

Claim 3 (Currently Amended): The semiconductor memory device ~~having a gate electrode and a diffusion layer~~ according to claim 1, comprising the first contact layer including a first conductive film and a second conductive film.

Claim 4 (Currently Amended): The semiconductor memory device ~~having a gate electrode and a diffusion layer~~ according to claim 3, the first conductive film is Ti.

Claim 5 (Currently Amended): The semiconductor memory device ~~having a gate electrode and a diffusion layer~~ according to claim 3, the second conductive film is W.

Claim 6 (Currently Amended): The semiconductor memory device ~~having a gate electrode and a diffusion layer~~ according to claim 1, the semiconductor memory device is one of a NAND type nonvolatile memory device and a NOR type memory device.

Claim 7 (Original): A memory card including the semiconductor memory device recited in claim 1.

Claim 8 (Original): A card holder to which the memory card recited in claim 7 is inserted.

Claim 9 (Original): A connecting device to which the memory card recited in claim 7 is inserted.

Claim 10 (Original): The connecting device according to the claim 9, the connecting device is configured to be connected to a computer.

Claim 11 (Original): A memory card including the semiconductor memory device recited in claim 1 and a controller which controls the semiconductor memory device.

Claim 12 (Original): A card holder to which the memory card recited in claim 11 is inserted.

Claim 13 (Original): A connecting device to which the memory card recited in claim 11 is inserted.

Claim 14 (Original): The connecting device according to the claim 13, the connecting device is configured to be connected to a computer.

Claim 15 (Original): An IC card on which an IC chip that includes the semiconductor memory device recited in claim 1 is located.

Claim 16 (Currently Amended): A semiconductor memory device ~~having a gate electrode and a diffusion layer~~, comprising:

a plurality of memory cells each of which includes a ~~including the~~ gate electrode and a ~~the~~ diffusion layer;

an insulating film formed above side and top surfaces of each gate electrode of the plurality of memory cells semiconductor memory device;

a first interlayer insulating layer formed between two adjacent gate electrodes adjacent to each other of the semiconductor memory device;

a first contact layer formed in the first interlayer insulating layer and connected to the diffusion layer;

a second interlayer insulting layer formed on the first inter layer insulating layer;

a second contact layer formed in the second interlayer insulating layer and connected to the first contact layer;

a bit line connected to the second contact layer; and

a conductive layer connected to at least two of the diffusion layers other than the diffusion layer connected to the first contact layer, the conductive layer formed between the two adjacent gate electrodes adjacent to each other being arranged in a direction vertical to the bit line, a height of the conductive layer substantially being coplanar with a height of the first contact layer.

Claim 17 (Currently Amended): The semiconductor memory device ~~having a gate electrode and a diffusion layer~~ according to claim 16, the first contact layer includes a W layer.

Claim 18 (Currently Amended): The semiconductor memory device ~~having a gate electrode and a diffusion layer~~ according to claim 16, a position of a top surface of the insulating film formed above the gate electrode of the plurality of memory cells semiconductor memory device is coplanar with the top surface of the first interlayer insulating layer.

Claim 19 (Currently Amended): The semiconductor memory device ~~having a gate electrode and a diffusion layer~~ according to claim 16, a position of a top surface of the insulating film formed above the gate electrode of the plurality of memory cells semiconductor memory device is different from that of the top surface of the first interlayer insulating layer.

Claim 20 (Currently Amended): The semiconductor memory device ~~having a gate electrode and a diffusion layer~~ according to claim 16, the conductive layer is a source line.

Claim 21 (Currently Amended): The semiconductor memory device ~~having a gate electrode and a diffusion layer~~ according to claim 16, the plurality of memory cells semiconductor memory device is one of a NAND type nonvolatile memory device and a NOR type memory device.

Claim 22 (Currently Amended): A memory card including the plurality of memory cells ~~semiconductor memory device~~ recited in claim 16.

Claim 23 (Original): A card holder to which the memory card recited in claim 22 is inserted.

Claim 24 (Original): A connecting device to which the memory card recited in claim 22 is inserted.

Claim 25 (Original): The connecting device according to the claim 24, the connecting device is configured to be connected to a computer.

Claim 26 (Currently Amended): A memory card including the plurality of memory cells ~~semiconductor memory device~~ recited in claim 16 and a controller which controls the plurality of memory cells ~~semiconductor memory device~~.

Claim 27 (Original): A card holder to which the memory card recited in claim 26 is inserted.

Claim 28 (Original): A connecting device to which the memory card recited in claim 26 is inserted.

Claim 29 (Original): The connecting device according to the claim 28, the connecting device is configured to be connected to a computer.

Claim 30 (Currently Amended): An IC card on which an IC chip that includes the plurality of memory cells ~~semiconductor memory device~~ recited in claim 26 is located.

Claim 31-46 (Canceled).